Public Utilities Commission of the State of California

William Ahern, Executive Director

<u>Headquarters</u> 505 Van Ness Avenue San Francisco, CA 94102 (415) 703-2782 Southern California Office 320 West 4th Street, Suite 500 Los Angeles, CA 90013 (213) 576-7000

Website: http://www.cpuc.ca.gov

Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar Tuesday, February 10, 2004

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- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
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- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/ Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities.

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

E-mail: public.advisor@cpuc.ca.gov FAX: 415-355-5404 (Attn.: Public Advisor)

toll-free: 1-866-849-8390 TTY: 1-866-836-7825 (toll-free)

Voice: 415-703-2074 1-415-703-5282

REGULAR COMMISSION BUSINESS MEETINGS

February 11, 2004	10 am	San Francisco
February 26, 2004	10 am	San Francisco
March 16, 2004	10 am	San Francisco

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

February 23, 2004	1:30 pm	San Francisco
March 12, 2004	1:30 pm	San Francisco
March 29, 2004	1:30 pm	San Francisco

OTHER COMMISSION MEETINGS

NONE

NOTICES

Delivery of Formal Pleadings for Filing

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION

Subscription to Daily Calendar, Commission Meeting Agenda, and Draft Agenda Items

For information contact: California Public Utilities Commission

Attention: Poly Arca

505 Van Ness Avenue, Room 1003

San Francisco, CA 94102 Phone: (415) 703-1798 E-mail: pol@cpuc.ca.gov

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS

<u>Public Meetings – For community groups who may be eligible to obtain grants money to fund the provision of telecommunications services to currently unserved rural areas of California (Assembly Bill 140—Ch. 903, Stats. 2001)</u>

	Turner areas of Carryornia (11950mor) But 110 Cit. 700, Statist 1
February 2, 2004 7 pm	City Council Room 1515 6 th Street Coachella
February 4, 2004 7 pm	Board of Supervisor's Room 224 N. Edwards Street (U.S.395) Independence
February 9, 2004 7 pm	Board of Supervisors' Chambers 225 N. Forbes Street, 1 st Floor Lakeport
February 10, 2004 7 pm	Eureka City Council Chambers 531 K Street Eureka
February 12, 2004 7 pm	Fairgrounds – Jensen Hall 195 Russell Avenue Susanville

The Commission oversees the grants program and has established eligibility criteria for community-based groups to obtain grants to build telephone infrastructure to their communities. We are scheduling Public Meetings in five locations throughout the state to explain the grants program to community groups who may be eligible to receive grants. We invite all interested community groups to attend and learn more about eligibility criteria and limitations for this new program. Questions regarding the Public Meetings or the Grants Program should be addressed to Mary Jo Borak at (415) 703-1879, or via e-mail at bor@cpuc.ca.gov.

Public Meeting Notice - Deaf and Disabled Telecommunications Program

Deaf and Disabled Telecommunications	Holiday Inn at Oakland Airport
Program Annual Joint Committee Meeting	500 Hegenberger Road
February 10, 2004	Oakland
10 am – 4 pm	
Î	

The Deaf and Disabled Telecommunications Program will hold a joint meeting of the Telecommunications Access for the Deaf and Disabled Administrative Committee (TADDAC), California Relay Service Advisory Committee (CRSAC) and the Equipment Program Advisory Committee (EPAC).

PUBLIC MEETING AGENDA

Morning Session: I. Welcome and Introductions; II. Opening Remarks; III. Committee Member Recognition; IV. Committee discussion and approval of nominations for new committee members; and V. "The Role of Citizen Advisory Committees in Shaping Public Policy" The Honorable Jerry Brown, Mayor of Oakland. Afternoon Session: VI. Public Input; VII. CAPTEL Trial Report; VIII. Joint Discussion of Committees on Current DDTP Issues; IX. Committee Member training on Parliamentary procedure; X. Chair Progress report; and XI. Adjournment.

Meeting Information

For more information, please contact Jane Elin, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

Environmental Notice

People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Workshop Notice

February 10, 2004	Hiram Johnson State Building
10 am - 5 pm	455 Golden Gate Avenue
	San Francisco
February 19, 2004	Assembly Room 1036
10 am - 5 pm	Hugh M. Burns State Building
	2550 Mariposa Mall
	Fresno
February 24, 2004	San Diego State Building
10 am - 5 pm	1350 Front Street, Room B 109
	San Diego
February 25, 2004	Los Angeles CPUC Office
10 am - 5 pm	Auditorium
_	320 West Fourth Street, Suite 500
	Los Angeles
March 3, 2004	Redding City Hall
10 am - 5 pm	City Council Chamber
<u>^</u>	777 Cypress Avenue
	Redding
<u> </u>	<u> </u>

The Telecommunications Division Staff is soliciting input from community groups to assist the Commission in preparing a report on broadband deployment that is responsive to Senate Bill 1563. These workshops are for community groups to provide their views regarding barriers to broadband access, the benefits of having broadband access and the effectiveness of current subsidy programs.

Contact person: Karen Watts-Zagha

(415) 703-2287

Workshop Notice Modification of the Rate Case Plan for Class A Water Utility General Rate Applications

California Pubic Utilities Commission
505 Van Ness Avenue, Room 3104
(Corner of Van Ness and Golden Gate)
San Francisco

The Water Division is hosting a continuation Workshop on February 10, 11, 18, 19, 24, and 25, 2004 to solicit public input on the need for modification of the Rate Case Plan for Class A Water Utility General Rate Applications (Commission Decision 90-08-045).

The purpose of the workshop is two fold:

To identify the least controversial issues in the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications prepared by the Water Division and;

To discuss the necessary components of an interim rate case plan schedule for year 2004.

For your information, the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications can be found on the Commission website at http://www.cpuc.ca.gov (Go to the "Regulated Areas", select "Water" and scroll down to "Helpful Links").

Questions regarding the workshop should be addressed to Peter Liu of the Water Division at (415) 703-1390 (ptl@cpuc.ca.gov).

Public Workshop Notice - 2-Part Real Time Pricing Workshop

February 18, 2004	California Energy Commission
10 am – 3 pm	Hearing Rooms A & B
	1516 Ninth Street
	Sacramento

D03-06-032 directs Working Group 2 of the Demand Response rulemaking (R02-06-001) to develop a pilot, pilots or consider other alternatives to test two-part Real Time Pricing (RTP) tariff design features. This will be the sixth workshop in the working group process of exploring the concept of two-part RTP. The specific focus for this workshop is an interactive modeling tool to explore the customer benefit perspective of various types of RTP tariff designs. Contact: Bruce Kaneshiro at (415) 703-1187 or bsk@cpuc.ca.gov.

Public Meeting – Low Income Oversight Board (LIOB)

Public Meeting – Low Income Ov	
February19, 2004	Meeting Will Be By Teleconference With One Board
2 pm - 3 pm	Member At Each Public Satellite Location.
	Board Member Carl Wood
	CA Public Utilities Commission
	505 VanNess Avenue, Room #5209
	San Francisco, CA 94102
	Information Contact:
	Dolores Montellano
	(415) 703-2283
	Board Member Tim Dayonot
	Department of Community Services and Development
	700 N. 10 th Street, Room 258
	Sacramento, CA 95814
	Information Contact:
	Dawn Chambers
	(916) 341-4263
	Board Member Maria Juarez
	Community Action Partnership Riverside County
	2038 Iowa Avenue, suite B-102
	Riverside, CA 92507
	Information Contact:
	Shelley Plumlee
	(909) 955-4900
	Board Member Alan Woo
	Community Action Partnership of Orange County
	12640 Knott Street
	Garden Grove, CA 92841
	Information Contact:

Marilene Panal (714) 897-6670 Ext. 3405

Board Member Paul White 1920 Mariposa Mall, Suite 300 Fresno, CA 93721 Information Contact: Lola Mireles (559) 263-1025

Board Member Yole Whiting San Diego Gas and Electric Co. 662 Camino Del Las Mares San Clemente, CA 92673 Information Contact: Gloria Saporito (858) 654-1231

Board Member Janine Scancarelli Folger Levin & Kahn LLP 275 Battery Street, 23rd Floor San Francisco, CA 94111 Information Contact: Tricia Verbick (415) 365-7477

Board Member Ron Garcia Reliable Energy Mgmt. Inc. 6250 Paramount Boulevard Long Beach, CA 90805 Information Contact: Eva Martinez (562) 984-5515

Board Member Ortensia Lopez El Concilio of San Mateo 1419 Burlingame Avenue, Suite N Burlingame, CA 94010 Information Contact: Carol Hatten (650) 373-1095

The Low Income Oversight Board (LIOB) will meet to elect new officers to the Board and plan future meetings. The Board members will be teleconferencing in from each of the above locations. The Board will hold its election for the positions of chair, vice chair and secretary to the Board. This is a public meeting. Interested parties may attend in person at any of the above locations or may teleconference in. Wheelchair accessibility varies by site and can be determined by calling the above Information Contacts at the above locations. Parties who need directions may also call the above Information Contacts for directions or other site-specific information. Teleconference Information: The meeting is also accessible through teleconference. To use this option, please call: 1-866-687-1443 and then dialing pass code 737358#. We ask any participants who wish to use this teleconference service to refrain from any additional sounds, such as, music on hold, background noises, as it interferes with the meeting attendees. If necessary, please use the mute function on your phone or disconnect from the call and reconvene at a more convenient time.

Public Meeting - Energy Action Plan Steering Committee

February 24, 2004	California Public Utilities Commission
2 pm – 4 pm	Hearing Room
	505 Van Ness Avenue

(Corner of Van Ness Avenue and McAllister Street)
San Francisco

The Energy Commission, Power Authority, and Public Utilities Commission Energy Action Plan Steering Committee members will meet to discuss: 1) progress of the subcommittees and 2) preparation for the March 2 Joint Meeting of the three agencies.

NOTICE OF DRAFT RESOLUTIONS (Pursuant to PU Code § 311(g))

NONE

NEW FILINGS		
2/2/04	A04-02-003 – Terrence Grimm and Roseann Grimm, Petition for Modification of Resolution E-3842, dated September 18, 2003.	
2/2/04	A04-02-004 - Application for approval to transfer by sale Passenger Stage Corporation Certificate #14147 from Igor Skoro doing business as AAA Airport-One Stop-Shuttle to Balbir S. Rana, doing business as Bayex Airporter pursuant to the provisions of Public Utilities Code Section 851; (Seller: 2175 Aborn Road, #215, San Jose, CA 95121; (800) 811-0844; Buyer: 1879 Daniel Maloney Drive, San Jose, CA 95121; (408) 422-5377)	
2/5/04	C04-02-002 – Transpacific Currency Services, Inc. vs. Allegiance Telecom, Inc., for advance charges in violation of the service contract.	

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

NONE

DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING OFFICER'S DECISION * ARBITRATOR'S REPORTS

NONE

ADVICE LETTER FILINGS

NONE

MISCELLANEOUS TRANSPORTATION ITEMS Filings with Consumer Protection and Safety Division

01/30/04

TCP 7700-A

Reuben James Simpson, dba WC Limo; Mailing Address: 1425 Soto Street, Seaside, CA 93955; Terminal Address: Same; Tel. No: 831-393-2243; Application filed for Class A Charter-Party authority.

MISCELLANEOUS TELECOMMUNICATION MATTERS

NONE

TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

NONE

ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

Correction to the Daily Calendar of 4/6/04

ALJ Terkeurst

A.02-09-043 - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project,

Evidentiary Hearing held and submitted upon the receipt of the Opening Briefs due 3/4/04 and Reply Briefs due 3/18/04

Correction to the Daily Calendar of 4/9/04

ALJ Mattson

A.00-07-013 - Application of Pacific Gas and Electric Company for Review and Recovery of Costs Recorded in the Electric Restructuring Costs Account (ERCA) for 1999 and Forecast for 2000 and 2001. (U 39 E),

Prehearing Conference held and concluded

Correction to the Daily Calendar of 4/9/04

ALJ Simon

A.03-10-052 - In the Matter of the Application of the City of San Clemente for an order authorizing the construction of five, permanent one-track at-grade crossings and three permanent one-track grade separated crossings and improvement of three existing crossings for the San Clemente Pedestrian Trail, known as the San Clemente Beach Safety Enhancement Project located on the Southern California Regional Rail Authority Orange Subdivision between railroad mile post 204.0 and 206.0 in the City of San Clemente, County of Orange, California,

Prehearing Conference held and concluded

Correction to the Daily Calendar of 4/9/04

ALJ Pulsifer

R.95-04-043 - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and

I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,

Evidentiary Hearing held and continued to February 9

ALJ Simon

A.02-01-031 - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara,

Evidentiary Hearing held and continued to February 10

ALJ Brown A.02-05-046 - Application of Southern California Edison Company (U 338 E) Regarding the Future

Disposition of the Mohave Generating Plant, Prehearing Conference held and no report given

ALJ Pulsifer R.95-04-043 - Order Instituting Rulemaking on the Commission's Own Motion into Competition for

Local Exchange Service, and

1.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for

Local Exchange Service,

Evidentiary Hearing held and continued to February 10

ALJ Brown R.01-10-024 (SDG & ERFP) - Order Instituting Rulemaking to Establish Policies and Cost Recovery

Mechanisms for Generation Procurement and Renewable Resource Development,

Evidentiary Hearing held and continued to February 10

ALJ Malcolm A.03-07-036 - In the Matter of the Application of California American Water Company (U 210 W) for

an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000

or 5.22% in 2006,

Evidentiary Hearing currently set for February 24 reset to March 9

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

2/13/04 I.02-11-040 (LM) - Order Instituting Investigation into the Gas Market Activities of Southern California 10:00 a.m.

ALJ Thomas Comr Lynch Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001,

Commission Courtroom, San Francisco

3/2/04 A.03-10-052 (PHC) - In the Matter of the Application of the City of San Clemente for an order authorizing the construction of five, permanent one-track at-grade crossings and three permanent one-track grade separated crossings and improvement of three existing crossings for the San Clemente Pedestrian Trail, known as the San Clemente Beach Safety Enhancement Project located on the Southern

California Regional Rail Authority Orange Subdivision between railroad mile post 204.0 and 206.0 in

the City of San Clemente, County of Orange, California,

Commission Courtroom, San Francisco

3/17/04 R.01-08-028 (WS) - Order Instituting Rulemaking to Examine the Commission's Future Energy

9:00 a.m. Efficiency Policies, Administration and Programs,

ALJ Gottstein Commission Courtroom, San Francisco

Comr Kennedy (also March 18)

LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judges Sarah R. Thomas and John E. Thorson at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are

governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

2/13/04 I.02-11-040 (LM) - Order Instituting Investigation into the Gas Market Activities of Southern California 10:00 a.m. Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern

ALJ Thomas California Edison and their impact on the Gas Price Spikes experienced at the California Border from

Comr Lynch March 2000 through May 2001,

Commission Courtroom, San Francisco

2/16/04 NONE SCHEDULED

10:00 a.m.

2/23/04 NONE SCHEDULED

10:00 a.m.

3/1/04 NONE SCHEDULED

10:00 a.m.

FINAL ORAL ARGUMENTS (FOA)

2/25/04 10:00 a.m. ALJ McVicar Comr Wood **A.02-09-030** (**FOA**) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Sacramento District to increase revenues by \$8,198,700 in the year 2003; and \$1,955,000 in the year 2004, and **A.02-09-031** - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER

COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Larkfield

District to increase revenues by \$512,800 in the year 2003; and \$96,900 in the year 2004, and **A.02-09-032** - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Felton District to increase revenues by \$410,200 in the year 2003; \$101,200 in 2004; and \$31,000 in the year

2005, and

A.02-09-033 - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Montara District to increase revenues by \$234,200 in the year 2003; \$38,200 in 2004; and \$45,000 in the year

Commission Auditorium, San Francisco

HEARINGS

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

(PHC) = Prehearing Conference (ECP) = Expedited Complaint Procedure (CA) = Closing Argument

(EH) = Evidentiary Hearing (OSC) = Order to Show Cause (LM) = Law & Motion (PPH) = Public Participation Hearing (WS) = Workshop (OA) = Oral Argument

(IAM) = Initial Arbitration Meeting (M) = Mediation (FPH) = Full Panel Hearing (AH) = Arbitration Hearing 9:00 a.m. -3:00 p.m. ALJ Thorson Comr Kennedy

2/10/04

A.03-10-017 (EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and

A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and

A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and

A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and

A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and

A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County

Meadows Mutual Water System and the Indian Springs Mutual Water System),

Commission Courtroom, San Francisco

2/10/04 9:00 a.m.

R.95-04-043 (EH) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and

ALJ Pulsifer Comr Kennedy

I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for

Local Exchange Service,

Commission Courtroom, San Francisco

(also February 11, 13; February 17 – 20; and February 23 - 27)

2/10/04 9:30 a.m.

ALJ Simon

A.02-01-031 (EH) - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose,

Comr Wood County of San Clara,

Commission Courtroom, San Francisco

(Also February 11)

2/10/04 10:00 a.m.

R.01-10-024 (SDG & E RFP) (EH) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,

ALJ Brown Comr Peevey Commission Courtroom, San Francisco (also February 11, 13 and February 17 – 20)

2/13/04 10:00 a.m. ALJ Thomas Comr Lynch **I.02-11-040** (**LM**) - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001,

Water 2000 through Way 2001,

Commission Courtroom, San Francisco

2/17/04

C.03-09-001 (PHC) - Casmalia Community Services District, Complainant, vs. Unocal Corporation, also known as Casmite Water System, Defendant, and

10:00 a.m. ALJ Thorson Comr Brown

A.03-12-024 - In the Matter of the Application of The Casmite Corporation for a Certificate of Public Convenience and Necessity To Operate A Public Utility Water System Near Casmalia In The County Of

Santa Barbara And To Establish Rates For Service,

Commission Courtroom, San Francisco

2/18/04 2:00 p.m. **C.01-01-032** (**PHC**) - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and

ALJ Barnett Comr Wood C.01-051 - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and

C.01-09-011 - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific

Gas and Electric Company, Defendant, **Commission Courtroom, San Francisco**

2/19/04 10:00 a.m. ALJ Reed Comr Peevey C.03-11-024 (EH) - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,

Commission Courtroom, San Francisco

2/20/04 C.03-12-012 (ECP) - Dean B. Lumibao, Complainant, vs. Verizon Wireless, Defendant,

12:00 noon ALJ Barnett City Utilities Yard – Administration Conference Room, 949 West 16th St., Newport Beach, CA

2/20/04 C.03-12-026 (ECP) - Jewel L. Dohan, Complainant, vs. SBC Pacific Bell, and IDT America, Corp.,

1:00 p.m. Defendants,

ALJ Barnett City Utilities Yard – Administration Conference Room, 949 West 16th Street, Newport Beach, CA

2/23/04 A.03-10-006 (PPH) - In the matter of the Application of the SOUTHERN CALIFORNIA WATER 2:00 p.m. & COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 7:00 p.m. **19.34%** in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its

ALJ Vieth Metropolitan Service Area,

Comr Wood Bell Gardens Veterans Park – Ross Hall, 6662 Loveland St., Bell Gardens, CA

Also:

2/24/04, 2:00 p.m. & 7:00 p.m., Carson Community Center – Room 107-A, B, & C, 3 Civic Plaza

Drive, Carson, CA

2/24/04 A.02-05-004 (PHASE 2) (PHC) - Application of Southern California Edison Company (U 338-E) For 2:00 p.m.

Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to

ALJ Barnett Reflect That Increase in Rates, and

Comr Wood I.02-06-002 - Investigation on the Commission's Own Motion into the Rates, Operations, Practices,

Service and Facilities of Southern California Edison Company,

Commission Courtroom, San Francisco

Section 2452 of the Streets and Highways Code,

2/26/04 I.03-07-009 (EH) - Investigation for the purpose of establishing a list for the fiscal years 2004-2005 and 10:00 a.m. ALJ Henderson Comr Wood

I.03-07-009 (EH) - Investigation for the purpose of establishing a list for the fiscal years 2004-2005 and 2005-2006 of existing and proposed crossings at grade of city streets, county roads or state highways in need of separation, or projects affecting the elimination of grade crossings by removal or relocation of streets or railroad tracks, or existing separations in need of alterations or reconstruction in accordance with

Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA

(also February 27)

2/26/04 C.04-01-019 (ECP) – Luis Fernando Amar, Complainant, vs. SBC Pacific Bell, Defendant,

10:00 a.m. Commission Courtroom, San Francisco

ALJ Patrick

2/27/04 A.03-12-008 (PHC) - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY

10:00 a.m. (U 60 W), a corporation, for an order authorizing treatment of net proceeds from real property sales as subject to Public Utilities Code § 790 and for establishment of memorandum accounts to record net sales proceeds,

Commission Courtroom, San Francisco

2/27/04 A.04-01-009 (PHC) – Application of Pacific Gas and Electric Company (U 39 E) for authority to increase revenue requirements to recover the costs to replace steam generators in Units 1 and 2 of the Diablo

ALJ O'Donnell Canyon Power Plant,

Comr Brown Commission Courtroom, San Francisco

3/1/04 10:00 a.m. ALJ Barnett **A.02-05-004 (PHASE 2) (EH)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to

Reflect That Increase in Rates, and

Comr Wood

I.02-06-002 - Investigation on the Commission's Own Motion into the Rates, Operations, Practices,

Service and Facilities of Southern California Edison Company,

Commission Courtroom, San Francisco

(also March 2 - 4; March 8 - 11; and March 15 – 18)

3/1/04 9:00 a.m. ALJ Vieth Comr Wood **A.03-10-006 (EH)** - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its

Metropolitan Service Area,

Commission Courtroom, San Francisco

(also March 2-5)

3/2/04 10:00 a.m. ALJ Simon Comr Brown **A.03-10-052** (**PHC**) - In the Matter of the Application of the City of San Clemente for an order authorizing the construction of five, permanent one-track at-grade crossings and three permanent one-track grade separated crossings and improvement of three existing crossings for the San Clemente Pedestrian Trail, known as the San Clemente Beach Safety Enhancement Project located on the Southern California Regional Rail Authority Orange Subdivision between railroad mile post 204.0 and 206.0 in the

City of San Clemente, County of Orange, California, Commission Courtroom, San Francisco

a m

10:00 a.m. ALJ Henderson Comr Wood

3/2/04

I.03-07-009 (EH) - Investigation for the purpose of establishing a list for the fiscal years 2004-2005 and 2005-2006 of existing and proposed crossings at grade of city streets, county roads or state highways in need of separation, or projects affecting the elimination of grade crossings by removal or relocation of streets or railroad tracks, or existing separations in need of alterations or reconstruction in accordance with Section 2452 of the Streets and Highways Code,

Commission Courtroom, San Francisco

(also March 3)

3/3/04 10:00 a.m.

10:00 a.m. ALJ Mattson Comr Kennedy **A.03-09-008 (PHC)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and

A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, Commission Courtroom, San Francisco

3/4/04 2:00 p.m. ALJ Prestidge Comr Lynch C.04-01-020 (PHC) - Almond Tree Hulling Co.; Arakelian Farms; Baugher Ranch; Beretta Property Management; Campos Brothers Farms; Central California Almond Growers Association; Central Valley Almond Association, Inc.; CF Koehen & Sons, Inc.; Dairyland Hullers; Farmers Cooperative; Harriet Baldwin; Harris-Woolf Almond Huller; Hashem Naraghi; Hilltop Circle L. Ranch; James M. Paiva; James R. Lewis Orchards Inc.; John Wynn; Minturn Almond Huller Co-OP, Inc.; North State Hulling Co-Op, Inc.; Pacific Almond Co.; Paramount Farms, Inc.; Paramount Farming Company; Parreira Almond Processing Co.; Peter D. Peterson; Stewart and Jasper Orchards; South Valley Farms; Strain Orchards; The Hulling Company, Inc.; TM Duche Nut Co. Inc.; Vernon Paddack; West Valley Hulling/Barry Baker; Xcel Shelling, LLC., Complainants, vs. Pacific Gas and Electric Company, and Does 1 through 100, inclusive, Defendant,

Commission Courtroom, San Francisco

3/9/04 10:00 a.m. ALJ Malcolm Comr Lynch **A.03-07-036** (EH) - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006,

Commission Courtroom, San Francisco

3/11/04 2:00 p.m. & 7:00 p.m. **ALJ Thorson** Comr Kennedy A.03-10-017 (PPH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and

A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and

A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and

A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and

A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and

A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County

Meadows Mutual Water System and the Indian Springs Mutual Water System), Kern County Library - Auditorium, 701 Truxtun Avenue, Bakersfield, CA

3/16/04 10:00 a.m. A.03-12-016 (PHC) - Application of San Diego Gas & Electric Company (U 902 E) for a Permit to

ALJ Simon Comr Wood

Construct the Mira Sorrento Substation, Commission Courtroom, San Francisco

3/17/04 9:00 a.m. R.01-08-028 (WS) - Order Instituting Rulemaking to Examine the Commission's Future Energy

Efficiency Policies, Administration and Programs,

ALJ Gottstein

Commission Courtroom, San Francisco

(also March 18) Comr Kennedy

3/17/04 2:00 p.m. & 7:00 p.m.

ALJ Vieth

A.03-10-057 (PPH) - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief,

Comr Peevey

Rancho Cordova Neighborhood Center, Community Room A & B, 10665 Coloma Rd., Rancho

Cordova, CA

3/19/04 10:00 a.m. -

12:00 p.m. **ALJ Thorson** Comr Kennedy A.03-10-017 (PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and

A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and

A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and

A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and

A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and

A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),

Commission Courtroom, San Francisco

3/22/04 3:00 p.m. -5:00 p.m. ALJ Thorson Comr Kennedy **A.03-10-017 (WS)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and

A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and

A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and

A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and

A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and

A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),

Commission Room 5012, San Francisco

3/23/04 9:00 a.m. -3:00 p.m. ALJ Thorson Comr Kennedy **A.03-10-017** (EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and

A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and

A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and

A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and

A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and

A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),

Commission Courtroom, San Francisco (also March 24 – 26 and March 29 - 30)

3/23/04 10:00 a.m. ALJ Koss Comr Brown C.03-07-040 (EH) - City of Anaheim, Complainant, vs. Union Pacific Railroad Company, Defendant, Commission Courtroom, San Francisco

3/26/04 12:00 noon

C.03-12-025 (ECP) - Sergio A. Rojo, Complainant, vs. AT & T Wireless, Defendant,

ALJ Barnett

Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA

3/26/04 1:00 p.m. ALJ Barnett C.03-12-027 (ECP) - April Raynell, Complainant, vs. Pacific Bell Telephone Company dba SBC California, Defendant,

t Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA

3/29/04 10:00 a.m. ALJ TerKeurst Comr Lynch **I.02-11-040** (EH) - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and

I.03-02-033 - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities,

Commission Courtroom, San Francisco

(also March 30, April 1 - 2; April 5 – 9; April 19 – 23; and April 26 - 30)

4/5/04 9:00 a.m. ALJ Wong Comr Peevey **A.03-08-004** (EH) - Application of Pacific Gas and Electric Company for Adoption of its 2004 Energy Resource Recovery Account (ERRA) Forecast Revenue Requirement, for Review of Contract Administration, Least Cost Dispatch and Procurement Activities during the Record Period January 1, 2003, Through May 31, 2003, and for Approval of its 2004 Ongoing Competition Transition Charges

(CTC) Revenue Requirement and Proposed Rate Design. (U 39 E),

Commission Courtroom, San Francisco

(also April 6 - 8)

4/7/04 11:00 a.m. ALJ Malcolm

Comr Peevey

R.03-08-018 (PHC) - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges,

Commission Courtroom, San Francisco

4/12/04 9:30 a.m. ALJ Simon Comr Kennedy **A.03-01-013** (EH) - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, and

A.03-07-049 - Application of the Pasadena Avenue Monterey Road Committee and City of South Pasadena for Variance of General Order 75-C, and

A.03-07-050 - In the Matter of the Application of the City of South Pasadena for Approval of Ordinance 2121 Relating to Limitations of Train Speeds Pursuant to Section 7658 of the California Public Utilities Code.

Commission Courtroom, San Francisco (also April 13 - 16)

4/12/04 10:00 a.m. ALJ Fukutome Comr Peevey **A.03-10-022** (Reasonableness Phase) (EH) - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,

Commission Courtroom, San Francisco

(also April 13 – 16)

4/13/04 9:00 a.m. ALJ Vieth Comr Peevey **A.03-10-057** (EH) - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief,

Commission Courtroom, San Francisco

(also April 14 - 15)

4/16/04 10:00 a.m. -12:00 p.m. ALJ Thorson Comr Brown **I.03-10-038** (PHC) - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,

Commission Courtroom, San Francisco

4/19/04 9:00 a.m.-3:00 p.m. ALJ Thorson Comr Brown **I.03-10-038** (EH) - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,

Commission Courtroom, San Francisco

(also April 20 – 23)

4/20/04 C.03-10-030 (EH) - U.S. TelePacific Corp. (U-5721-C), Complainant, vs. Verizon California, Inc. (U-

9:30 a.m. 1002-C), Defendant,

Commission Courtroom, San Francisco **ALJ Simon**

Comr Brown

4/21/04 C.03-08-030 (EH) - County of Los Angeles, Complainant, vs. Union Pacific Railroad Company,

10:00 a.m. Defendant,

ALJ Koss Commission Courtroom, San Francisco

Comr Peevey

4/26/04 C.02-07-044 (EH) – The Utility Consumers' Action Network (UCAN), Complainant, v. Pacific Bell

10:00 a.m. Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants,

Commission Courtroom, San Francisco ALJ Walker

Comr Brown (also April 27 - 30)

5/12/04 A.03-08-004 (EH) - Application of Pacific Gas and Electric Company for Adoption of its 2004 Energy

9:00 a.m. Resource Recovery Account (ERRA) Forecast Revenue Requirement, for Review of Contract **ALJ Wong** Administration, Least Cost Dispatch and Procurement Activities during the Record Period January 1, Comr Peevey 2003, Through May 31, 2003, and for Approval of its 2004 Ongoing Competition Transition Charges

(CTC) Revenue Requirement and Proposed Rate Design. (U 39 E),

Commission Courtroom, San Francisco

(also May 13 - 14)

5/24/04 R.03-10-003 (EH) - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning

Community Choice Aggregation, 10:00 a.m.

ALJ Malcolm Commission Courtroom, San Francisco

Comr Peevey (also May 25 - 27)

5/25/04 A.02-12-027 (PHC) - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to

update its gas revenue requirement and base rates. (U 904 G), and 10:00 a.m.

ALJ Long A.02-12-028 - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its

Comr Wood gas and electric revenue requirement and base rates. (U 902-M), and

I.03-03-016 - Order Instituting Investigation on the Commission's Own Motion into the Rates,

Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas &

Electric Company,

Commission Courtroom, San Francisco

6/1/04 A.02-12-027 (EH) - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to

9:30 a.m. update its gas revenue requirement and base rates. (U 904 G), and

ALJ Long A.02-12-028 - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its

Comr Wood gas and electric revenue requirement and base rates. (U 902-M), and

I.03-03-016 - Order Instituting Investigation on the Commission's Own Motion into the Rates,

Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas &

Electric Company,

Commission Courtroom, San Francisco

(also June 2-4 and June 7-11)

6/7/04 I.00-11-001 (EH) - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding

10:00 a.m. the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those

ALJ TerKeurst Constraints, and Related Matters Affecting the Reliability of Electric Supply,

Comr Lynch Commission Courtroom, San Francisco

(also June 8 - 11 and June 14 - 18)

6/7/04 10:00 a.m. ALJ O'Donnell Comr Brown **R.03-03-017** (EH) - Order Instituting Rulemaking on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040,

and

I.03-03-018 - Order Instituting Investigation on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and

C.00-01-017 - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants.

Commission Courtroom, San Francisco

(also June 8 – 11 at 9:30 a.m.)

6/8/04 10:00 a.m. ALJ Galvin Comr Peevey **A.03-12-010** (EH) - Application of San Diego Gas & Electric Company (U 902 E) for a Finding of Prudence Regarding its Power Procurement Activities, and for Approval of Expenses Recorded to the

Electric Resource Recovery Account,

Commission Courtroom, San Francisco

(also June 9 at 9:00 a.m.)

6/14/04 9:30 a.m. ALJ Duda Comr Peevey **R.93-04-003** (Verizon UNE Phase) (EH) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development

of Dominant Carrier Networks, and

I.93-04-002 - Investigation on the Commission's Own Motion into Open Access and Network

Architecture Development of Dominant Carrier Networks,

Commission Courtroom, San Francisco

(also June 15 - 18)

7/7/04 10:00 a.m. ALJ Mattson **A.03-09-008 (PHC)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,

and

Comr Kennedy

A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, **Commission Courtroom, San Francisco**

7/12/04 9:00 a.m. ALJ Mattson Comr Kennedy **A.03-09-008** (EH) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and **A.03-09-031** (EH) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,

Commission Courtroom, San Francisco (Also July 13 – 16; July 19 – 23; and July 26 – 30)

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

NONE

NONE

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

1/30/04 A03-06-014 Southern California Edison Company (U 338-E), for authority to

Lease available Land on the Barre-Villa Park Transmission Right

of Way to RHC Communities, LLC.

Summary: On January 27, 2004, Tom Burhenn, Manager of Regulatory Operations, Southern California Edison Company (SCE), spoke on the telephone with Karl Bemesderfer, advisor to Cmmr. Kennedy. Burhenn summarized SCE's concerns about the proposed decision (PD) of ALJ Thomas. Specifically, Burhenn stated that the changes to the lease agreement contemplated in the PD were not acceptable to SCE.

Filer: Southern California Edison Company

Contact: Henry Romero Phone: (626) 302-4124

2/2/04 R01-09-001 Order instituting rulemaking on the Commission's own motion to

assess and revise the new Regulatory Framework for Pacific Bell

and Verizon California Incorporated.

I01-09-002 Order instituting investigation on the Commission's own motion

to assess and revise the New Regulatory Framework for Pacific

Bell and Verizon California Incorporated.

Summary: On January 28, 2004, James Young, General Attorney and Assistant General Counsel, SBC West, sent a letter (attached to the notice) to Pres. Peevey, Cmmrs. Kennedy, Brown, Lynch, and Wood. Copies of the letter were also sent to Lester Wong, advisor to Cmmr. Peevey, Tim Sullivan, advisor to Cmmr. Kennedy, Tom Long, advisor to Cmmr. Lynch, Jonathan Lakritz, advisor to Cmmr. Wood, and Robert Wullenjohn and Peter Hanson, advisors to Cmmr. Brown. The letter addressed a fundamental error in the Phase 2A proposed decisions.

Filer: Pacific Bell Telephone Company dba SBC California

Contact: Claudia Barros Phone: (415) 542-3820

2/2/04 R95-04-043 Order instituting rulemaking on the Commission's own motion

into competition for local exchange service.

I95-04-044 Order instituting investigation on the Commission's own motion

into competition for local exchange service.

Summary: On January 29, 2004, Cynthia Marshall, Senior Vice President, Pacific Bell Telephone Company dba SBC California (SBC), met with Lester Wong, advisor to Cmmr. Peevey, in San Francisco. Also present were Cynthia Wales, Executive Director, David Discher, General Attorney, and Mark Berry, Associate Director, for SBC. Written material (attached to the notice) was used. SBC representatives discussed the Directory Assistance Listing Information Service cost proceeding and the January 9, 2004 proposed decision. SBC stated that the inputs and results of its cost study are accurate and that because DALIS is not UNE, TELRIC-based pricing is not appropriate. SBC urged the adoption of its pricing proposal as basis for the permanent rates for this service.

Filer: Pacific Bell Telephone Company dba SBC California

Contact: Claudia Barros Phone: (415) 542-3820

2/2/04 A02-07-021 Southern California Water Company, for an Order pursuant to

Public Utilities Code Section 851 approving a Settlement

Daily Calendar

Agreement that will convey water rights in the Culver City Customer Service Area.

Summary: On January 29, 2004, James Scarff, counsel for the Office of Ratepayer Advocates (ORA), met with Belinda Gatti, advisor to Cmmr. Brown, in San Francisco. Also present was Sung Han, project manager for ORA. Scarff stated that ALJ Walker's proposed decision (PD) erred in concluding that all the funds the company was receiving from the City of Santa Monica qualified under Public Utilities Code Section 790 for reinvestment in new plant. Scarff explained that Southern California Water Company (SCWC) retains title to the assets and Section 790 applies only to assets that are sold. Han stated that Section 790 did not apply to the sale of the water rights either since these water rights were still necessary and useful to ratepayers. Scarff stated that even if the Commission found that some or all of the proceeds of the settlement with the City could be reinvested pursuant to Section 790, the question remained as to how this reinvestment would be treated for ratemaking purposes. Scarff stated that ORA supported the part of the PD that requires SCWC to book the \$4.2 million the company received from the Potentially Responsible Parties for the additional costs of purchased water into the purchased water balancing account.

Filer: Office of Ratepayer Advocates - Scarff

Contact: Sue Ann Muniz Phone: (415) 703-2804 email: sam@cpuc.ca.gov

Summary: On January 30, 2004, James Scarff, counsel for the Office of Ratepayer Advocates (ORA), met with Lester Wong, advisor to Pres. Peevey, in San Francisco. Also present was Kevin Coughlan, advisor to Pres. Peevey. Scarff stated that ALJ Walker's proposed decision (PD) erred in concluding that all the funds the company was receiving from the City of Santa Monica qualified under Public Utilities Code Section 790 for reinvestment in new plant. Scarff explained that Southern California Water Company (SCWC) retains title to the assets and Section 790 applies only to assets that are sold. Han stated that Section 790 did not apply to the sale of the water rights either since these water rights were still necessary and useful to ratepayers. Scarff stated that even if the Commission found that some or all of the proceeds of the settlement with the City could be reinvested pursuant to Section 790, the question remained as to how this reinvestment would be treated for ratemaking purposes. Scarff stated that ORA supported the part of the PD that requires SCWC to book the \$4.2 million the company received from the Potentially Responsible Parties for the additional costs of purchased water into the purchased water balancing account.

Filer: Office of Ratepayer Advocates - Scarff

Contact: Sue Ann Muniz Phone: (415) 703-2804 email: sam@cpuc.ca.gov

2/3/04 R01-10-024 Order Instituting Rulemaking to Establish Policies and Cost

Recovery Mechanisms for Generation Procurement and

Renewable Resource Development.

Summary: On January 29, 2004, Erik Jacobson, Chief, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Julie Fitch, advisor to Pres. Peevey, in San Francisco. Jacobson explained PG&E's opposition to reallocation of the Sunrise contract from San Diego Gas & Electric Company (SDG&E) to PG&E. Jacobson expressed support for severing the Sunrise issue from the broader SDG&E RFP issues.

Filer: Pacific Gas and Electric Company

Contact: Michelle Brown Phone: (415) 973-4662

2/3/04 A03-06-040 Southern California Gas Company (U 904-G), in compliance with

Resolution G-3334 for a System of Firm, Tradable Receipt Point

Capacity Rights and related provisions.

Summary: On January 29, 2004, Stacey Murphy, Mayor of the City of Burbank, sent letters (attached to the notice) to Pres. Peevey and Cmmrs. Wood, Lynch, Brown and Kennedy. The letters supported vacating D01-12-018.

Filer: City of Burbank

Contact: Rosemarie McBride Phone: (213) 430-2505

Summary: On January 29, 2004, Eric Eisenman, Chief, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Trina Horner, advisor to Cmmr. Lynch, in San Francisco. Eisenman urged that the Commission require Southern California Gas Company to modify its operations in order to take into account the Kern River Expansion, and to modify the allocation method for the receipt of gas supplies at Kramer Junction. Eisenman explained that more competitively-priced gas suppliers would become available to the Southern California market, benefiting consumers.

Filer: Pacific Gas and Electric Company

Contact: Michelle Brown Phone: (415) 973-4662

2/4/04 R01-09-001 Order instituting rulemaking on the Commission's own motion to

assess and revise the new Regulatory Framework for Pacific Bell

and Verizon California Incorporated.

I01-09-002 Order instituting investigation on the Commission's own motion

to assess and revise the New Regulatory Framework for Pacific

Bell and Verizon California Incorporated.

Summary: On January 30, 2004, Lee-Whei Tan of the Office of Ratepayer Advocates (ORA), met with Cmmr. Brown in an all-party meeting in San Francisco. Also present were Robert Wullenjohn, Belinda Gatti and Peter Hanson, advisors to Cmmr. Brown, James Simmons, for ORA, Robert Cagen of the Legal Division, and Paul Strange, Michael Sasser and Emery Borsodi, for Pacific Bell Telephone Company (SBC). Tan stated that the proposed decision (PD) was correct that SBC could not have recovered all of its PBOP regulatory asset via a Z-factor since SBC included pre-funded PBOP cost, which was specifically disallowed by the Commission for Z-factor recovery. Tan stated that PD is correct to exclude part of the PBOP regulatory asset below the line.

Filer: Office of Ratepayer Advocates - Cagen

Contact: Rosario Espino Phone: (415) 703-1858

2/4/04 R01-10-024 Order Instituting Rulemaking to Establish Policies and Cost

Recovery Mechanisms for Generation Procurement and

Renewable Resource Development.

Summary: On January 30, 2004, Joseph Karp of White & Case LLP, attorney for Berry Petroleum (Berry) and Smurfit-Stone Container Corporation (Smurfit), met with Julie Fitch, advisor to Pres. Peevey, in San Francisco. Karp explained that Berry and Smurfit had a disagreement with Pacific Gas and Electric Company in connection with the requirements in D03-12-062 and D04-01-050 regarding the interim standard offer one contracts and requested the Commission's assistance in resolving the disagreement.

Filer: Berry Petroleum Company and Smurfit-Stone Container Corporation Contact: Enoch H. Chang Phone: (415) 544-1100

Summary: On January 30, 2004, Nancy Rader, Executive Director of the California Wind Energy Association (CalWEA), met with Julie Fitch, advisor to Pres. Peevey, in San Francisco. Also present was Joseph Karp of White & Case LLP, attorney for CalWEA. CalWEA representatives requested the Commission to issue a ruling directing the utilities to propose plans that will facilitate repowering of wind facilities in California and discussed problems involving the 'California fix' component of the federal production tax credit statute.

Filer: California Wind Energy Association

Contact: Enoch H. Chang Phone: (415) 544-1100